

1700 S. Patterson Blvd.
Dayton, OH 45479-0001

#18

April 7, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Re: Notice of Abandonment

U.S. Patent Application No. 09/541,137

Filed: March 31, 2000

**Titled: METHOD AND SYSTEM FOR IDENTIFYING
MANUFACTURING ANOMALIES IN A MANUFACTURING SYSTEM**

Inventor: Douglas J. Durrant et al.

Our office recently received a Notice of Abandonment (Form PTO-1432) for the above-referenced patent application. The notice stated the application was abandoned due to Applicant's failure to respond to an Office Action mailed May 3, 2004. A copy of the Notice of Abandonment is attached.

Abandonment of the above-referenced application is believed to be in error. A response to the Office Action dated May 3, 2004 was placed in the U.S. mail as certified mail on August 3, 2004, and received by the Patent and Trademark Office Mail Center August 6, 2004. Enclosed herewith are:

1. A copy of the Notice of Abandonment (Form PTO-1432) for the above-referenced patent application;
2. A duplication of the response mailed to the Patent and Trademark Office on August 3, 2004;
3. A copy of a certified mail return receipt date stamped by the Patent and Trademark Office Mail Center with the date August 6, 2004;
4. A copy of a Mail Acknowledgement post card date stamped by the Patent and Trademark Office Mail Center with the date August 6, 2004; and
5. A file history printout from the USPTO PAIR System indicating that an amendment was received by the USPTO on August 6, 2004.

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OIEC
PTO/JCL/S

Commisioner for Patents

August 6, 2004

Page 2

I hope that the information I have attached allows you to continue prosecution of this patent application. Please contact me in writing at the above address or by telephone at (937) 445-7663 if additional information is required.

Sincerely,



James M. Stover, Senior Attorney
NCR Corporation
Intellectual Property Section, Law Department, ECD-2
937 445-7663
FAX: 937 445-6794



UNITED STATES PATENT AND TRADEMARK OFFICE

APR 11 2005

PATENT
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EXAMINER

JC48

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/541,137	03/31/2000	Douglas J. Durrant	K35A0568 (10994)	3023
26890	7590	03/04/2005		EXAMINER
JAMES M. STOVER NCR CORPORATION 1700 SOUTH PATTERSON BLVD, WHQ4 DAYTON, OH 45479			RAO, SHEELA S	
			ART UNIT	PAPER NUMBER
			2125	

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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APR 18 2005
Technology Center 2100



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Notice of Abandonment	Application No.	Applicant(s)	APR 18 2005
	09/541,137 Examiner: Sheela Rao	DURRANT ET AL Art Unit 2125	Technology Center 2100

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 03 May 2004.
 - (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) No reply has been received.
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) The issue fee and publication fee, if applicable, has not been received.
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) No corrected drawings have been received.
4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. The reason(s) below:

Verification of abandonment was attempted on 2/22/05.

LEO PICARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

APR 11 2005

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

EE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110.00)

Complete if Known

Application Number	09/541,137
Filing Date	March 31, 2000
First Named Inventor	Douglas J. Durrant
Examiner Name	Sheela S. Rao
Art Unit	2125
Attorney Docket No.	10994

METHOD OF PAYMENT (check all that apply)
 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number	50-1673
Deposit Account Name	NCR Corporation

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEES CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			-3** =	X	=

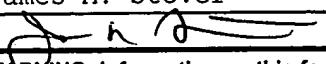
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

** or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	2251 55	Extension for reply within first month	
1252 420	2252 210	2252 210	Extension for reply within second month	
1253 950	2253 475	2253 475	Extension for reply within third month	
1254 1,480	2254 740	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	2401 165	Notice of Appeal	
1402 330	2402 165	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	2502 240	Design issue fee	
1503 640	2503 320	2503 320	Plant issue fee	
1460 130	1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)		37 CFR 120(d) Term Disclaimer Fee		110.00
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)		110.00

(Complete if applicable)

SUBMITTED BY	(Complete if applicable)		
Name (Print/Type)	James M. Stover	Registration No. (Attorney/Agent)	32,759
Signature		Date	August 3, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

CERTIFIED MAIL



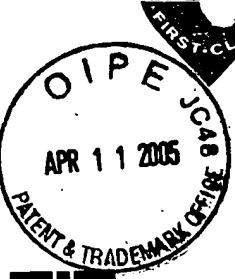
JAMES M. STOVER
LAW DEPARTMENT, IP, WHQ-4
NCR CORPORATION
1700 S. PATTERSON BLVD.
DAYTON, OH 45419-0001

7004 0750 0003 9112 2508



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<p><input type="checkbox"/> Complete items 1, 2 and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p><input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input type="checkbox"/> Attach this card to the back of the mailpiece or on the front if space permits.</p> <p>Article Addressed to:</p> <p>MAIL STOP <u>Amendment</u> COMMISSIONER FOR PATENTS P O BOX 1450 ALEXANDRIA VA 22313-1450</p>		<p><input type="checkbox"/> Agent</p> <p><input checked="" type="checkbox"/> Addressee</p> <p><input type="checkbox"/> Received by Private Normal Mail</p> <p><input type="checkbox"/> D.O.T. Approved</p> <p><input type="checkbox"/> In delivery address different from item 1 (<input type="checkbox"/> Yes) <input type="checkbox"/> No</p> <p><input type="checkbox"/> C.O.D.</p> <p><input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Certified Mail</p> <p><input type="checkbox"/> Registered Mail</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Extra Fee</p> <p><input type="checkbox"/> Yes</p>	
<p>Article Number: Transfer from service label:</p> <p>10994</p>		<p>7004 0750 0003 9112 2508</p> <p>7004 0750 0003 9112 2508</p>	
<p>PS Form 3811, August 2001 POSTAL SERVICE FORMS 10250-0244-1640</p>			

First Class Mail



MAIL STOP Amendment
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MAIL ACKNOWLEDGMENT

X-221141 1289

TO		PATENT AND TRADEMARK OFFICE	
<p>Please acknowledge date received and return card to NCR Corporation</p>			
Serial Number 09/541,137	Date Filed 3/31/2000	Maintenance Fee	<input type="checkbox"/>
Inventor's Name D. J. DiGiovanni, et al.	ITEM MAILED	Application Papers	<input type="checkbox"/>
		Docket Number (10994)	<input checked="" type="checkbox"/>
		Letter Re Drawings	<input checked="" type="checkbox"/>
		Terminal Disclaimer	<input type="checkbox"/>
		Missing Parts	<input type="checkbox"/>

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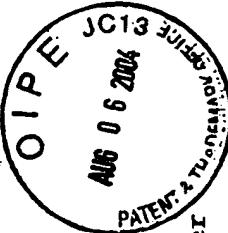
APR 18 2005

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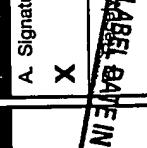
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X-1211-112/99

Serial Number 09/541,137	Date Filed 3/31/2000
TO PATENT AND TRADEMARK OFFICE	
Please acknowledge date received and return card to NCR Corporation	
 AUG 06 2004 <small>PATENT & TRADEMARK OFFICE</small>	
D. J. Durrant, et al. ITEM MAILED	
<input type="checkbox"/> Issue Fee <input type="checkbox"/> Maintenance Fee <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Application Papers <input type="checkbox"/> IDS <input checked="" type="checkbox"/> Docket Number <small>(10994)</small> <input type="checkbox"/> Letter in Re Drawings <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Missing Parts	

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

A. Signature 	B. Agent <input type="checkbox"/> Address <input type="checkbox"/>
C. Date of Deliver: NOV 14 2004	D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No AUG 11 2004 U.S. MAIL CENTER COMMISSIONER FOR PATENTS P O BOX 1450 ALEXANDRIA VA 22313-1450

1. Article Addressed to:

MAIL STOP *Durrant*
COMMISSIONER FOR PATENTS

P O BOX 1450

ALEXANDRIA VA 22313-1450

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Mails
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
(Transfer from service label)
7004 0750 0003 9112 2506

PS Form 3811, August 2001

Domestic Return Receipt

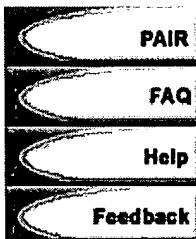
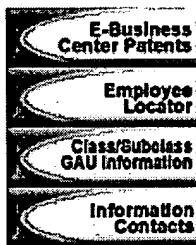
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Search results as of: 4-5-2005::15:32:34 E.T.

Search results for application number: 09/541,137

Application Number:	09/541,137	Customer Number:	26890
Filing or 371(c) Date:	03-31-2000	Status:	Abandoned -- Failure to Respond to an Office Action
Application Type:	Utility	Status Date:	03-04-2005
Examiner Name:	RAO, SHEELA S	Location:	FILE REPOSITORY (FRANCONIA)
Group Art Unit:	2125	Location Date:	03-08-2005
Confirmation Number:	3023	Earliest Publication No:	-
Attorney Docket Number:	K35A0568	Earliest Publication Date:	-
Class/ Sub-Class:	700/108	Patent Number:	-
First Named Inventor:	Douglas Durrant, Mission Viejo, CA	Issue Date of Patent:	-
Title Of Invention:	Method and system for identifying manufacturing anomalies in a manufacturing system		

Select Search Option

 Assignments
 Display References
 Image File Wrapper
File History

Date	Contents Description
03-04-2005	Mail Abandonment for Failure to Respond to Office Action
03-04-2005	Abandonment for Failure to Respond to Office Action
08-06-2004	Workflow incoming amendment IFW
05-03-2004	Mail Non-Final Rejection
04-30-2004	Non-Final Rejection
02-20-2004	Date Forwarded to Examiner
02-06-2004	Response after Non-Final Action
02-06-2004	Request for Extension of Time - Granted
10-03-2003	Mail Non-Final Rejection
09-29-2003	Non-Final Rejection
09-16-2003	Date Forwarded to Examiner
09-08-2003	Amendment after Final Rejection
09-08-2003	Request for Extension of Time - Granted
05-06-2003	Mail Final Rejection (PTOL - 326)
05-05-2003	Final Rejection

02-08-2003	Date Forwarded to Examiner
02-03-2003	Response after Non-Final Action
02-03-2003	Information Disclosure Statement (IDS) Filed
02-03-2003	Request for Extension of Time - Granted
09-26-2002	Mail Non-Final Rejection
09-25-2002	Non-Final Rejection
04-03-2002	Case Docketed to Examiner in GAU
01-24-2002	Case Docketed to Examiner in GAU
10-06-2000	Case Docketed to Examiner in GAU
07-13-2000	Case Docketed to Examiner in GAU
07-07-2000	Application Dispatched from OIPE
07-07-2000	Application Is Now Complete
06-13-2000	Notice Mailed--Application Incomplete--Filing Date Assigned
06-13-2000	Correspondence Address Change
04-20-2000	IFW Scan & PACR Auto Security Review
03-31-2000	Initial Exam Team nn

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